

23 Dec, 2017

Curry, Steven Duane ©
ACDC C-101 #38970

To: Matthew J. Dykman
Clerk of Court

Alamogordo, NM 88310

FILED

US Federal District Court, #Rm 270

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

333 LUMAS BLVD. NW

DEC 29 2017

Albuquerque, NM 87102

MATTHEW J. DYKMAN

CLERK

RE: CURRY V. NEW MEXICO, ET AL

Federal Case No. # 2:17-cv-01079 AB-GJF (iam)

SUBJECT: Affidavit / Notice / Petition + Writ of ERROR
UPON THE TWELFTH JUDICIAL DISTRICT COURT, W/ STEVEN
BLANKINSHIP, Esq. PRESIDING; PURSUANT 28 USC 636,
FRCP Rule 21(b); US Constitution ARTICLE III;
AMENDMENTS I, IV, V, VI, VII, VIII, IX, X, + XI;
Marbury v. Madison (1803); Scott v. McNEAL; Hale v.
HENKEL (1905); Penhallow v. DOANES (1881); Schwarzer
v. Medical Examiners; Cohen v. US; BRADY Act;
STATE v. Gleason; ADMINISTRATIVE PROCEDURES Act,
SECTION #12 (1948); PUBLIC LAW 80-772; BAR TREATY
OF 1947; THE JUDICIARY ACT OF 1789; THE GENEVA
CONVENTION; THE HAGUE CONVENTION; ETC, ETC;

Let the Records show, That, ON 20 DEC, 2017, ^①ADMIN-
ISTRATIVE CLERK STEVEN BLANKINSHIP CONVENED A HEARING
ON THE "CONDITIONS OF RELEASE" OF THE AFFIANT ON, FOR
MEDICAL REASONS; ^② AND THAT, UPON THE RECORD, MR.

Blankinship censored the Affiant from speaking on the RECORD, and that ⁽³⁾ he not be allowed to proceed Pro Se, despite the fact that Magistrate Newton had granted the Affiant Pro Se Status by written contract on October 10, 2017;

→ The Affiant has since advised & notified Governor Susanna Martinez, and Judges Brack & Fournell of the United States District Court, of Mr. Blankinship's malfeasance & misconduct pursuant to 28 USC 634 & Fed Rule 21(b); and US Constitution Article III, Sections 1, 2 & 3; & the First Amendment;

→ Mr. Blankinship had earlier employed a "Not Guilty" plea on behalf of the Affiant during an attempted arraignment hearing on 3 October, 2017. Such an Entry was in clear violation of Fed Rule 21(b); 28 USC 1654; 28 USC 634; 18 USC 40 & 402, and a host of other violations related to "Practicing Law from the Bench," Abuse of Power & Office, and "Obstruction of Justice!" Mr. Blankinship, then, is due some serious sanctions & penalties from the US Dist. Court, the Governor, the Judicial Discipline Committee, the New Mexico Bar Association, and the Ethics Committee of the ABA! [See Corpus Juris Secundum for details].

→ Equally damaging to Mr. Blankinship's Honor, character & integrity, is that during the hearing he allowed DA Esquivel to advance incorrect, inaccurate hearsay testimony of her sister,

"No part of this Act shall be used to violate anyone's Constitutional Rights!"
- Administrative Procedures Act, Section 12 (1946). "The Power of the US Judiciary shall not extend to the commencement of any action against one of the US in any Court of Law or Equity!" - ~~II~~ Amendment.

Joanna Varradando, the chief Mental Health agent at the ODC, that the Affiant is "a very dangerous man & a flight risk," and that, "his injuries have been self-inflicted," and that, "he has refused his prescribed pain medications during Med-passes!" - All of which is hearsay; false testimony!

→ The fact that Mr. Blankinship allowed Joanna Varradando to discuss those confidential matters with her sister, Roxanna B. Esquibel, while the court was in recess, is unconscionable & negligent! To have allowed Esquibel to advance any medical opinion of her sister to the court record, was unforgivable & equally damaging to the decorum & integrity of Mr. Blankinship's court; as if anyone owns the court! At last check, the court, according to History & Black's Law Dictionary, is the "PAPER RECORD," and it is not the property of the Judge, the Pro-Se-Cutor, the "PLAINTIFF," the "DEFENDANT," or the "Jury!" The "Court" is not even of Brick & Mortar!!

→ Worse, yet, is the fact, that in Otero County, the Pro-Se-Cuting DA, Roxanna B. Esquibel, Esq. is allowed to call upon her sister, Joanna Varradando to open up the Affiant's Medical records for purposes of prosecuting the Affiant, or to have Ms Varradando create, invent & fabricate a "Rap Sheet" of the Affiant, or to conceal Medical records not conducive or helpful to Esquibel's conviction of the Affiant!!

An excellent example of this treachery & Conflict of Interest, is found with Ms. Varradondo's absconding & pirating of the "Fit for Incarceration Script" authored by Dr. James Wells, MD on 22 Sept., 2017. This "Script" was the private property of the Affiant until Ms. Varradondo got possession of it while the Affiant was being detained in Medical!

→ Having never performed any such "Fitness Exam" on the Affiant, and the fact that the "PERSON" named on the Script is "STEPHEN WERN, Age 58," is nothing short of criminal malfeasance, criminal misconduct, and medical malpractice by both Wells & Varradondo, as per 18 USC 341 & HIPAA, and more!!

Given too, Ms. Varradondo's refusal to forward the Affiant's "Competency Exam" conducted by Dr. Deuts on 5 October, 2017, on the "Commitment Orders" of Judge Counts on Oct. 3RD 2017, is grounds enough to sanction Ms. Varradondo and to have her, and Ms. Esquivel removed from their Public Offices, without pause or hesitation!!

→ To Mr. Blankinship's credit, he did offer the defense, as in Jonathan Miller, a Court Order which would force Ms. Varradondo & Ms. Esquivel to release ALL of the Affiant's Medical records & ALL Exculpatory evidence currently being held by Esquivel & Varradondo!!

Also to Mr. Blankinship's credit, was his acknowledging & recognizing Jonathan Miller's entry to the record, that the Affiant had been languishing in the OCDC for 88 Days without lawful arraignment! Blankinship added that the "arraignment hold" was due to the lack of a "Competency Exam" ordered by Mr. Counts on 3 October!!!!

→ Well Now! We have come full circle with Ms. Varradondo's intentional suppression of this "competency exam," so as to inhibit the "arraignment clock" from starting again until Ms. Esquivel had perfected her case against the Affiant??! The "arraignment clock" should have started again on 5 October, with the Affiant being arraigned within the following 72 hours!!

→ It's now been 91 Days since the Affiant's FALSE ARREST & 91 Days of his WRONGFUL IMPRISONMENT!! — And all can be charged to Esquivel & her sister Joanna Varradondo for their filing false & perjured testimonies, 1st Degree Perjury, jury tampering, witness tampering, ex parte discussions, falsifying official Records, suppression of exculpatory evidence, Misprison of a Felony, Failure to Report, Obsecounding, theft, Violating patient's rights under HIPAA, Fraud upon the Court, Violating ABA Rules & Ethics, Violating all the above stated laws, citations, Fraud, Extortion, Prison Ganging, Peonage, Piracy,

Conspiracy, Money Laundering, racketeering
and Public Corruption, among other notable &
notorious offenses!

→ Contrary to Ms. Esquivel's rhetoric,
the true & genuine "Terrorists" & "Dangerous
Individuals," are Mr. Hunter, Ms. Varradondo
& Ms. Esquivel, as they can destroy &
dissiminate the Public Trust by the stroke of
their pens & all with contempt for human life
& human dignity!! — How anyone could conceive
& devise such evil & devilry is well beyond
the rational mind, and such evil, devilry,
and inexcusability Must be exposed to the light
of the Sun!

Also to Mr. Blankinship's credit was his acknowledging
& recognizing Jonathan Miller's civil advocacy &
proffer of the Affiant's critical medical concerns
& his need for examination & treatment of
his injuries by independent medical experts.
Mr. Miller was able to establish the Affiant's
long history with the VA, and that the VA
was capable of handling the assessments,
exams, and the treatment of his injuries.
— To Ms. Esquivel's DIS-CREDIT, she suggested
the Affiant be transferred to the Dept. of
Corrections, where his MISTREATMENT would
continue as it has at the CDC!!

ALL LAW IS COMMERCIAL AS IN LAW MERCHANT! COMMERCE RELIES ON CONTRACTS!
CONTRACTS RELY ON FULL DISCLOSURE, GOOD FAITH OFFERS, ACCEPTANCE, AGREEMENT,
HONEST CONSIDERATIONS, HONEST SERVICES, REMEDY, RELIEF FOR ALL LIABILITIES!!
"ALL CONTRACTS MUST BE 100% ACCURATE & CORRECT, OR THEY ARE 100% DEFECTIVE!!" - ucc

From the very beginning of his false detainment
& Arrest by Dr David Hunter & Deputy David
Sanchez, the Affiant has been in need of
hospitalization for his injuries, which include
neurological tests, treatment for psychological &
Mental Trauma he suffered from Hunter &
Sanchez's brutal attack & assault of 22 Sept.!

Mr. Miller's "proffering" for the Affiant appeared
to satisfy Mr. Blankinship, as he ordered a
continuance until such time as the issue of
competency ^{HOLD} could be cleared up, and time
for Jonathan Miller to submit a motion to
have the Affiant discharged to the VA for exam-
ination & treatment!

→ It is the Petition & Prayers of the Affiant
that Mr. Blankinship order Esquivel & Varradondo
to produce to the record all of the Affiant's
Medical records, including the "Competency Exam,"
the "Fit for Incarceration Script," and all exculp-
atory evidence currently being held & intentionally
suppressed by Varradondo & Esquivel!!

→ If Mr. Blankinship does not order these
records released, the Affiant will look to Mr.
Brack & Mr. Fournell to order Mr. Blankinship,
Ms. Esquivel, Ms. Varradondo, Mr. Hunter, and
Mr. Sanchez to answer for their conspiracy
to deny the Affiant of his rights to Due Process
& his rights to adequate medical care!!

As previously mentioned, it would be the fiduciary obligation & duty of this US DISTRICT COURT TO UPHOLD THE RULE OF LAW in their sanctioning the member officers of the lower state District Court on all offenses listed herein, and previously submitted in Affidavit form, with specific attention being paid to 15 USC 1 & 2, 18 USC 241 & 242; 42 USC 1983 & 1993 & 1995 (3); 28 USC 636; & 28 USC 455!

The "Ultimate Disposition" of this case must include the immediate release of the Affiant, and the granting of his Summary Judgment to the full relief & remedy he is entitled to under law!

Having proven, too, that opposing counsel has left the battlefield in default, dishonor & disgrace, the ONLY task left to this court will be sanctioning, penalizing, and punishing opposing counsel for all their criminal offenses against the Affiant and against humanity! - The opposing counsel, under commercial law, shall not be allowed to rise from where they have fallen!!

As previously mentioned, the "First Defect" and "Fatal Flaw" with Esquivel's prosecution of this case is Dr Hunter's arrogance, self-importance, and his reliance on a "Hearsay Electronic Page #8 of 12

"Constitutional Rights are self-executing
Authority to make them operative!"
Private Judiciary Contracted to re-present the
sanction, penalize, or punish anyone engaged in the

Notice," rather than a REQUIRED Notarized & Clerk-
Stamped Warrant! Without such a Warrant, Hunter
violated the IV Amendment by presuming such a
warrant existed, and this Warrant was somehow
binding & enforceable even when such a warrant
was in violation & contradiction to 18 USC 3771,
the Judiciary Act of 1789, and the Administrative
Procedures Act, Section 12 (1948), and the XI Amend-
ment, which clearly & unambiguously states in
plain English; "The Power of the US Judiciary
shall NOT extend to the commencement of any
action against one of the United States in ANY
Court of Law or Equity by any subject or citizen
of another government or foreign power!!"
— This forbids & prohibits Ms. Roxanna B. Esquivel,
Esquire, a member-officer of the A.B.A., to
commence any action against the Affiant! - PERIOD!
→ The XI Amendment & the Separation of Powers
Act, and the Administrative Procedures Act, Section 12,
and the IV Amendment, forbids & prohibits Mr. Hunter
from commencing any actions against the Affiant
without a genuine, binding & enforceable warrant, or
without a "Letter of Marque & Reprisal" signed
by Governor Susanna Martinez prior to his
criminal trespass upon the Affiant's private
property! [See Hale v. Hunter (1905) for more
details on Hunter's "judicial indiscretions!"]

The Affiant would be remiss if he did not remind this US District Court of its fiduciary obligations & duties to protect & safeguard the Affiant & his wife against such predators & pirates like Hunter, Sanchez, Esquivel and Varradondo; all of whom have chosen to act outside of their Constitutional & Legislative Authority, wherein they have surrendered their defenses, their rights, and their humanity! — Again, it has been well proven, that member officials of the US Judiciary are NOT "government employees," and they shall not serve as "Public officers," or "Public Servants!" [See H.B.R. Constitution & Code House Bill #1062; and US Constitution Article III, Sections 1, 2, 3. for further details],

Given the release of information on the Northrup Truck Corporation, Inc. by the SEC in 2016, the Affiant is obligated to inform this Court of the improprieties, inequities and indiscretions of judicial officers (Judge Blackship, Esquivel, and Hunter, as each has undisclosed financial conflicts of interests in the issuance of Prisoner bonds, the collection of taxes via the IRS, and other financial & commercial concerns which prohibit them from acting against the Affiant, Pursuant
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"An individual may stand upon his Constitutional Rights and his natural, unalienable rights which pre-date, and are long antecedent to the establishment of the State!" Hake v. Stanley (1905) // The individual, then, is the holder in due course of all Superior Claims of Entitlement under God's Laws!!

28 USC 455! This would explain why the Atlantic case has been bounced from Mr. Blankinship, to Mr. Newton, back to Mr. Blankinship, over to Mr. Counts, and now back to Mr. Blankinship!

Given that all three member-officers are in Breach of #28 USC 455, and in Breach of their Contracts with the STATE OF NEW MEXICO, it is apparent there exists no legislative authority for them to act outside of the Four Corners of the Constitution, or to support or condone the Piracy of Hunter & Sanchez, and the SILENCE of Esquivel & Varradondo, as all of their actions equate to FRAUD!! [See Black's Law & US Supreme Court].

It is again the Petition & Prayer of this Affiant, that this Court, given its very limited & restricted authority & jurisdiction over its own, but NOT over the Living Affiant, will act swiftly & judge justly in reigning in the member-officers of the 12th Judicial District who have gone rogue, and who have chosen to be lawless Pirates at sea, and all in violation & contradiction to the Supreme Laws of the land, and to the Laws of God!!

May your Honor, Mercy & Grace shine upon all those in need of your kindnesses!!
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Post Script:

of the greatest importance & significance, the Affiant petitions this court to grant him his Summary Judgment & his full relief & remedy. He & his wife are entitled to, which must include an order to Federal & State Law Enforcement agencies & officials to increase the protection & safeguards for the Affiant & his wife to thwart the actions of Hunter, Esquivel, Sanchez, Morris, Douglas, Martin, Varralondo, Reed, Callman, Shivers, and all others who would retaliate against a protected person. Hunter, whose conduct is in violation of the Affiant's Universal Declaration of Human Rights.

— Inasmuch, the Affiant Prays that Mr. Ferrati & Mr. Burke look beyond our obvious political differences to what unites us all, which is our duties & obligations to preserve our human-ness & our humanity through compassion, grace & mercy that all people are entitled to, and not just to a chosen few.

Again "take no part in the fruitless works of darkness; but rather expose them. For it is shameful to even mention the things done in secret; but everything exposed to light becomes visible, for everything that becomes visible, becomes light!" — Ephesians 5:11

Maths! Thanks for
recording & copying my work!
Increasing the black for the pencil
& reducing the size really
worked well last time!!
Thanks, Parham!

8

Curry, Steven D
OCDC C-101 #38970
Albuquerque, NM (88310)

EL PASO TEXAS
RIO GRANDE DISTRICT
27 DEC 2017 PM 12



DETENTION CENTER
INMATE CORRESPONDENCE

RECEIVED
At Albuquerque NM

DEC 29 2017

To: Matthew J. Dykman
Clerk of Court
US Federal District Court
US Court House, Rm #270
333 Lomas Blvd. NW
Albuquerque, NM 87102
MATTHEW J. DYKMAN
CLERK

Critical, Urgent
Lebar
Expedited
Please Deliver

Federal Case No. 2:17-cv-01079-JB-GF (Gm)